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1O:

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COMPANY:

FAN NO.:

571-273-8300

FROM:

Kevin D. Mc Carthy

RE:

10/541, 787

DATE:

79/21, 5000

NUMBER OF PAGES TRANSMITTED: COVER + = 10 pages

MESSAGE:

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I, the undersigned, hereby certify that this correspondence along with other possible documents has been deposited with the U.S. Postal Service by first class mail, postage pre-paid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or faceinable transmitted to the U.S. Patent and Trademark Office on July 1, 2006.

Date:

July 1, 2006

Patent 0-05-111 - 15331/US/02

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:

Josef et al.

Serial no.:

10/541,787

Filed:

January 15, 2004

Title:

SOLUBLE FERTILIZER COMPOSITIONS COMPRISING

CALCIUM AND/OR MAGNESIUM PHOSPHATES

Examiner:

N/A

Art Unit:

A\N

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir/Madam:

### Response to Missing Requirements

Applicant submits a copy of the "notification of missing requirements under 35, U.S.C. 371 in the United States designated/elected office (DO/EO/US)"; an executed declaration; an assignment and cover sheet; and form 2038 for \$170 (\$130 for the declaration and \$40 for the assignment recordation fee).

It is respectfully requested that these documents be entered and considered timely filed.

07/07/2006 LLANDGRA 00000066 10541787

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130.00 OP

Respectfully submitte

Kevin D. McCarthy Reg. No. 35,278

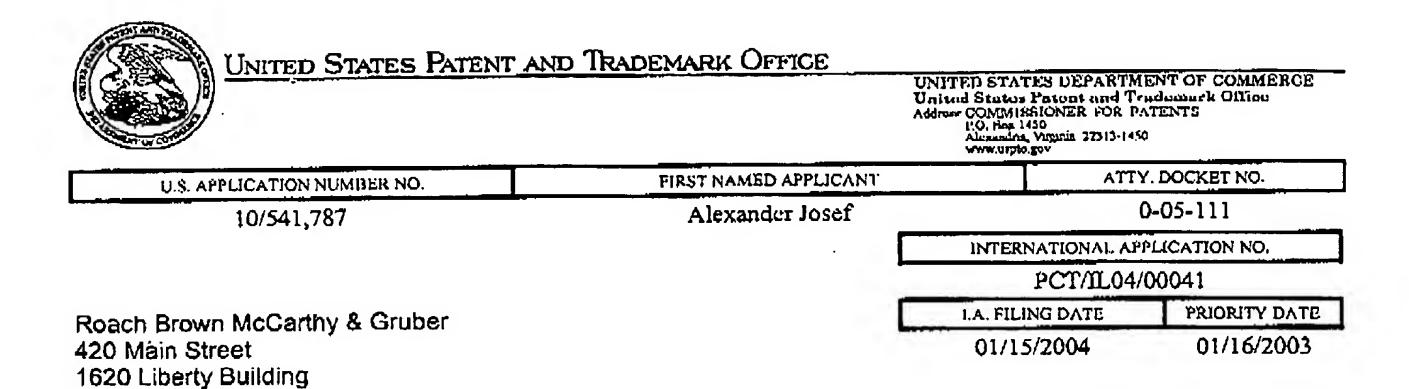
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Page 1 of 2

**CONFIRMATION NO. 4128** 

**371 FORMALITIES LETTER** 

\*OC000000018735083\*



Date Mailed: 05/10/2006

Buffalo, NY 14202

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/11/2005
- Copy of the International Search Report filed on 07/11/2005
- Preliminary Amendments filed on 07/11/2005
- Information Disclosure Statements filed on 07/11/2005
- Oath or Declaration filed on 07/11/2005
- Request for Immediate Examination filed on 07/11/2005
- U.S. Basic National Fees filed on 07/11/2005
- Priority Documents filed on 07/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

Page 2 of 2

### • \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,787	PCT/iL04/00041	0-05-111

FORM PCT/DO/EQ/905 (371 Formalities Notice)